

The amendment in the nature of a substitute recommended by the Committee on Government Reform that is printed in the bill was considered as an original bill for the purpose of amendment.

Pages H3152–53

Agreed to the Ose amendment (No. 1 printed in part D of H. Rept. 108–497) that authorizes annual funding for the General Accounting Office's regulatory analysis function and removes the requirement for the Office of Management and Budget to integrate its annual regulatory accounting statement and associated report into the President's fiscal budget documents.

Pages H3153–55

Rejected the Waxman amendment (No. 2 printed in part D of H. Rept. 108–497) that sought to create an expert commission to study the politicization of science and make recommendations for how to protect science in the regulatory process from political and ideological manipulation and interference, by a recorded vote of 201 ayes to 226 noes, Roll No. 187.

Pages H3155–60

H. Res. 645, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 219 yeas to 195 nays, Roll No. 180.

Page H3099–H3105

Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2004—Motion to Instruct Conferees: The House agreed to table the George Miller of California motion to instruct conferees on H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, by a recorded vote of 216 ayes to 199 noes, Roll No. 181.

Pages H3106–3107

Suspension Failed—Undocumented Alien Emergency Medical Assistance Amendments of 2004: The House failed to suspend the rules and pass H.R. 3722, to amend section 1011 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 to impose conditions on Federal reimbursement of emergency health services furnished to undocumented aliens, which was debated on Monday, May 17, by a $\frac{2}{3}$ yea-and-nay vote of 88 yeas to 331 nays, Roll No. 182.

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Suspensions: The House agreed to suspend the rules and pass the following measures which were debated on Monday, May 17:

Oscar Scott Woody Post Office Building Designation Act: H.R. 3740, to designate the facility of the United States Postal Service located at 223 South Main Street in Roxboro, North Carolina, as the "Oscar Scott Woody Post Office Building", by a $\frac{2}{3}$ yea-and-nay vote of 422 yeas with none voting "nay", Roll No. 186; and

Page H3132

Bobby Marshall Gentry Post Office Building Designation Act: H.R. 4176, to designate the facility of the United States Postal Service located at 122 West Elwood Avenue in Raeford, North Carolina, as the "Bobby Marshall Gentry Post Office Building", by a $\frac{2}{3}$ yea-and-nay vote of 421 yeas with none voting "nay", Roll No. 190.

Pages H3161–62

Budget Resolution for FY 2005—Motion to Instruct Conferees: The House debated the Stenholm motion to instruct conferees on S. Con. Res. 95, original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal years 2006 through 2009. Further proceedings were postponed until Wednesday, May 19.

Pages H3162–68

Representative Price of North Carolina announced his intention to offer a motion to instruct on the measure.

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Senate Message: Message received from the Senate today appears on page H3095.

Senate Referral: S. Con. Res. 103 was referred to the Committee on Education and the Workforce.

Amendments: Amendment ordered printed pursuant to the rule appears on page H3230.

Quorum Calls—Votes: Nine yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H3105, H3106–3107, H3107, H3130, H3130–31, H3131–32, H3132, H3159–60, H3160, H3160–61, and H3161–62. There were no quorum calls.

Recess: The House recessed at 11:36 p.m. and reconvened at 6:08 a.m. on Wednesday, May 19.

Pages H3185, H3187

Recess: The House recessed at 6:09 a.m. on Wednesday, May 19 and reconvened at 9:54 a.m.

Pages H3228

Adjournment: The House met at 9 a.m. and adjourned at 9:55 a.m. on Wednesday, May 19.

Committee Meetings

SUPPORTING OUR INTERCOLLEGIATE STUDENT-ATHLETES: PROPOSED NCAA REFORMS

Committee on Energy and Commerce: Subcommittee on Commerce, Trade and Consumer Protection held a hearing entitled "Supporting Our Intercollegiate Student-Athletes: Proposed NCAA Reforms." Testimony was heard from public witnesses.

NIH ETHICS CONCERNS

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled

“NIH Ethics Concerns: Consulting Arrangements and Outside Awards.” Testimony was heard from Marilyn L. Glynn, Acting Director, Office of Government Ethics; the following officials of the Department of Health and Human Services; Edgar M. Swindell, Associate General Counsel, Ethics Division; Raynard S. Kington, M.D., Deputy Director, NIH; Lance A. Liotta, M.D., Chief, Laboratory of Pathology, J. Carl Barrett, Director, Center for Cancer Research, and Anna D. Barker, Deputy Director, Advanced Technologies and Strategic Partnerships, all with the National Cancer Institute; and Emanuel Petricoin, Lead Microbiologist, Center for Biologics Evaluation and Research, FDA; Jack Maskell, American Law Division, Congressional Research Service, Library of Congress; and a public witness.

MARKET STRUCTURE—SEC PROPOSAL

Committee on Financial Services: Subcommittee on Capital Markets, Insurance and Government Sponsored Enterprises held a hearing entitled “SEC Proposal on Market Structure: How will Investors Fare?” Testimony was heard from public witnesses.

IMPROVING FINANCIAL OVERSIGHT

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled “Improving Financial Oversight: A Private Sector View of Anti-Money Laundering Efforts.” Testimony was heard from public witnesses.

FEDERAL WORKFORCE FLEXIBILITY ACT; “FIRST YEAR ON THE JOB: CHIEF HUMAN CAPITAL OFFICERS”

Committee on Government Reform: Subcommittee on Civil Service and Agency Organization approved for full Committee action, as amended, S. 129, Federal Workforce Flexibility Act of 2003.

The Subcommittee also held a hearing entitled “First year on the job: Chief Human Capital Officers.” Testimony was heard from Kay Coles Jones, Director, OPM; Chris Mihm, Managing Director, Strategic Issues, GAO; Reginald Wells, Chief Human Capital Officer, SSA; and a public witness.

ENSURING ACCURACY AND ACCOUNTABILITY IN LAB TESTING

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled “Ensuring Accuracy and Accountability in Lab Testing: Does the Experience of Maryland General Hospital Expose Cracks in the System?” Testimony was heard from the following officials of the Department of Health and Human Services: Steven I. Gutman, M.D., Director, Office of In Vitro Diagnostics Device Evaluation and Safety, FDA; and Sean Tunis, M.D., Chief Clinical Officer,

Centers for Medicare and Medicaid Services and Deputy Director, Office of Clinical Standards and Quality, CMS; Nelson J. Sabatini, Secretary, Department of Health and Mental Hygiene, State of Maryland; and public witnesses.

“HOW CAN WE MAXIMIZE PRIVATE SECTOR PARTICIPATION IN TRANSPORTATION?”

Committee on Government Reform: Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs held a hearing entitled “How Can We Maximize Private Sector Participation in Transportation?” Testimony was heard from Emil Frankel, Assistant Secretary, Transportation Policy, Department of Transportation; and public witnesses.

SHOULD CHINA JOIN THE NUCLEAR SUPPLIERS GROUP?

Committee on International Relations: Held a hearing on Should China Join the Nuclear Suppliers Group? Testimony was heard from John Wolf, Assistant Secretary, Bureau of Nonproliferation, Department of State.

ANTI-TERRORISM INTELLIGENCE TOOLS IMPROVEMENT ACT

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on H.R. 3179, Anti-Terrorism Intelligence Tools Improvement Act of 2003. Testimony was heard from the following officials of the Department of Justice; Daniel J. Bryant, Assistant Attorney General; and Thomas J. Harrington, Deputy Assistant Director, FBI; and a public witness.

OVERSIGHT—ALIEN SMUGGLING

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims held an oversight hearing entitled “Pushing the Border Out on Alien Smuggling: New Tools and Intelligence Initiatives.” Testimony was heard from Joe D. Morton, Principal Deputy Assistant Secretary and Director, Diplomatic Security Service, Department of State; the following officials of the Department of Homeland Security: Robert Harris, Deputy Chief, Border Patrol, Bureau of Customs and Border Protection; and John P. Torres, Deputy Assistant Director, Smuggling and Public Safety, U.S. Immigration and Customs Enforcement; and a public witness.

OVERSIGHT—CHESAPEAKE BAY IN YOUR COMMUNITY: A RESTORATION PLAN

Committee on Resources: Subcommittee on Fisheries Conservation, Wildlife and Oceans held an oversight

hearing on The Chesapeake Bay in Your Community: A Restoration Plan. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Water and Power held a hearing on the following bills: H.R. 4045, To authorize the Secretary of the Interior to prepare a feasibility study with respect to the Mokelumne River; H.R. 3597, To authorize the Secretary of the Interior, through the Bureau of Reclamation, to conduct a feasibility study on the Alder Creek water storage and conservation project in El Dorado County, California; and H.R. 2257, Lower Yellowstone Reclamation Projects Conveyance Act. Testimony was heard from John Keys III, Commissioner, Bureau of Reclamation, Department of the Interior; and public witnesses.

CONFERENCE REPORT—CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2005

Committee on Rules: Committee granted, by a vote of 7 to 4, a rule waiving all points of order against the conference report to accompany S. Con.Res. 95, Setting forth the congressional budget for the United States Government for fiscal year 2005 and including the appropriate budgetary levels for fiscal year 2006 through 2009, and against its consideration. The rule provides that the conference report shall be considered as read. The rule provides one hour of debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget. Section 2 provides that upon adoption in the House of the conference report, and until a concurrent resolution on the budget for fiscal year 2005 has been adopted by the Congress, the provisions of the conference report and its joint explanatory statement shall have force and effect in the House and that for the purposes of title III of the Congressional Budget Act of 1974 the conference report shall be considered for the purposes of the House to have been adopted by the Congress. The rule provides that nothing in section 2 may be construed to engage rule XXVII. Section 3 provides that the conferees of the House on H.R. 2660 shall be, and they are hereby discharged and that H.R. 2660 and its accompanying papers, be, and they are hereby, laid on the table.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2005

Committee on Rules: Committee granted, by voice vote, a structured rule providing 2 hours of general debate on H.R. 4200, National Defense Authorization Act of Fiscal Year 2005, equally divided and controlled by the chairman and ranking minority

member of the Committee on Armed Services. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute recommended by the Committee on Armed Services. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution, and amendments en bloc described in section 3 of the resolution.

The rule provides that amendments shall be considered only in the order specified in the report (except as specified in section 4 of the resolution), may be offered only by a Member designated in the report, shall be debatable for 10 minutes (unless otherwise specified in the report) equally divided and controlled by the proponent and an opponent, shall not be subject to amendment (except that the chairman and ranking minority member of the Committee on Armed Services each may offer one pro forma amendment for the purpose of further debate on any pending amendment), shall be considered as read, and shall be not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the Rules Committee report and those amendments en bloc as described in section 3 of the resolution. The rule authorizes the Chairman of the Committee on Armed Services, or his designee, to offer amendments en bloc consisting of amendments printed in the Rules Committee report not earlier disposed of, which shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services or their designees, and shall not be subject to amendment or demand for a division of the question in the House or in the Committee of the Whole.

The rule provides that the original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc. The rule allows the Chairman of the Committee of the Whole to recognize for consideration of any amendment printed in the Rules Committee report out of the order printed, but not sooner than one hour after the chairman of the Committee on Armed Services or a designee announces from the floor a request to that effect. Finally, the

rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Hunter and Representatives Cunningham, Ehlers, Manzullo, English, Wamp, Whitfield, Goode, Shimkus, Flake, Capito, Johnson of Illinois, Kennedy of Minnesota, Beauprez, Skelton, Spratt, Meehan, Loretta Sanchez, Tauscher, Davis of California, Langevin, Cooper, Meek of Florida, Markey, Dicks, Lantos, Cardin, Slaughter, Price of North Carolina, Waters, Bishop of Georgia, Hastings of Florida, Maloney, Woolsey, Blumenauer, Harman, Strickland, Inslee, Lee, Tierney, Schakowsky, Udall of Colorado, Matheson and Schiff.

OVERSIGHT—VETERANS HOMELESS ASSISTANCE PROGRAMS

Committee on Veterans' Affairs: Held an oversight hearing on homeless assistance programs for veterans. Testimony was heard from the following officials of the Department of Veterans Affairs: Gordon H. Mansfield, Deputy Secretary; and John Kuhn, Homeless Program Coordinator, New Jersey Health Care System; Patricia Carlile, Deputy Assistant Secretary, Special Needs Programs, Department of Housing and Urban Development; Don Winstead, Deputy Assistant Secretary, Planning and Evaluation, Office of Human Services Policy, Department of Health and Human Services; and public witnesses.

REVIEW CIA'S COMPENSATION REFORM INITIATIVE

Permanent Select Committee on Intelligence: Subcommittee on Human Intelligence, Analysis and Counterintelligence met in executive session to hold a hearing to Review CIA's Compensation Reform Initiative. Testimony was heard from departmental witnesses.

COMMITTEE MEETINGS FOR WEDNESDAY, MAY 19, 2004

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: business meeting to mark up an original bill to reauthorize child nutrition programs, 10:30 a.m., SH-216.

Committee on Appropriations: Subcommittee on District of Columbia, to hold hearings to examine proposed budget estimates for fiscal year 2005 for the District of Columbia, 10 a.m., SD-138.

Committee on Armed Services: to resume hearings to examine allegations of mistreatment of Iraqi prisoners, 8:30 a.m., SH-216.

Committee on Banking, Housing, and Urban Affairs: to hold an oversight hearing to examine the International Monetary Fund and World Bank, 10 a.m., SD-538.

Committee on Energy and Natural Resources: Subcommittee on Water and Power, to hold hearings to examine S. 900, to convey the Lower Yellowstone Irrigation Project, the Savage Unit of the Pick-Sloan Missouri Basin Program, and the Intake Irrigation Project to the pertinent irrigation districts, S. 1876, to authorize the Secretary of the Interior to convey certain lands and facilities of the Provo River Project, S. 1957, to authorize the Secretary of the Interior to cooperate with the States on the border with Mexico and other appropriate entities in conducting a hydrogeologic characterization, mapping, and modeling program for priority transboundary aquifers, S. 2304 and H.R. 3209, bills to amend the Reclamation Project Authorization Act of 1972 to clarify the acreage for which the North Loup division is authorized to provide irrigation water under the Missouri River Basin project, S. 2243, to extend the deadline for commencement of construction of a hydroelectric project in the State of Alaska, H.R. 1648, to authorize the Secretary of the Interior to convey certain water distribution systems of the Cachuma Project, California, to the Carpinteria Valley Water District and the Montecito Water District, and H.R. 1732, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Williamson County, Texas, Water Recycling and Reuse Project, 2:30 p.m., SD-366.

Committee on Finance: to hold oversight hearings to examine the Treasury Department and terrorism financing; to be followed by a hearing to examine the nominations of Juan Carlos Zarate, of California, to be Assistant Secretary for Terrorism Finance, and Stuart Levey, of Maryland, to be Under Secretary for Enforcement, both of the Department of the Treasury, and John O. Colvin, of Virginia, to be a Judge of the United States Tax Court, 10 a.m., SD-215.

Committee on Foreign Relations: to continue hearings to examine the way ahead in Iraq, 9:30 a.m., SD-419.

Committee on Indian Affairs: business meeting to consider S.J. Res. 37, to acknowledge a long history of official depredations and ill-conceived policies by the United States Government regarding Indian Tribes and offer an apology to all Native Peoples on behalf of the United States, and S. 2277, to amend the Act of November 2, 1966 (80 Stat. 1112), to allow binding arbitration clauses to be included in all contracts affecting the land within the Salt River Pima-Maricopa Indian Reservation, 10 a.m., SR-485.

Special Committee on Aging: to hold hearings to examine Health Savings Accounts and the New Medicare Law, focusing on the future of health care, 2:30 p.m., SD-628.

House

Committee on Agriculture, hearing to review Agricultural Trade Negotiations, 10 a.m., 1300 Longworth.

Committee on Education and the Workforce, to mark up H.R. 4278, Improving Access to Assistive Technology for Individuals with Disabilities Act of 2004, 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Energy and Air Quality, hearing entitled "Regional Energy